CMPMO No.67 of 2007.

16.11.2007. Present: Mr. Baldev Singh, Advocate, vice counsel for the petitioner.

Mr. Neeraj Gupta, Advocate, for the respondent.

Mr. Neeraj Gupta submits and states before me that the suit in which the impugned order was passed rejecting the petitioner's application under Order 9 Rule 7 of the Code of Civil Procedure for setting aside the ex-parte proceedings has since been finally disposed of and an ex-parte decree has been passed by the trial Court in favour of the respondent and against the petitioner. On this statement being made, Mr. Baldev Singh seeks leave of this Court to withdraw this petition with liberty to the petitioner to avail of alternative remedies. Prayer allowed subject to all exceptions.

The petition is dismissed as withdrawn.

CMP No.146 of 2007.

In view of the dismissal of the main petition as withdrawn, this application shall also stand dismissed.

16th November, 2007. (V.K. Gupta), C.J.
(tr)